

REMARKS/ARGUMENTS

Applicants have studied the Office Action dated March 25, 2004 and have made changes believed to place the application in order for allowance. Reconsideration and reexamination are respectfully requested.

Applicants gratefully acknowledge the Examiner's allowance of claims 27-46.

The Examiner has rejected claims 1-11, 13-19, 21-26, 47-57, and 59-65 as being unpatentable over U.S. Pat No. 5,572,378 (the Schwarz reference) in view of U.S. Pat. No. 6,674,598 (the Smith reference). This rejection is respectfully traversed.

For example, independent claim 1 is directed to a method for storing data in a storage medium, comprising, *inter alia*, "providing a layout of a magnetic tape storage medium including a first and second user data sections, wherein the first user data section has a shorter longitudinal length than the second user data section so that the first user data section comprises a faster access storage space than the second user data section ..." It is the Examiner's position that figure 2 of the Schwarz reference shows a tape cartridge including a magnetic tape medium having first and second user data sections in which "first user data section (56) is closer to BOT and is shorter longitudinally than second user data section (58)." The applicants respectfully disagree. In that figure 2 of the Schwarz reference shows a break in each of the sections, indicating that each section is longer than depicted, it is respectfully submitted that the comparative lengths of the sections 56, 58 are not to be determined from figure 2. Moreover, it is noted that figure 2 relied upon by the Examiner also shows a "service region" 54 between the storage regions 56, 58. The Schwarz reference explicitly states that:

A service region is established at approximately the center of the longitudinal length of the tape. Data storage areas having a plurality of data tracks extending longitudinally along the tape are defined on either side of the service region.

Schwarz, col. 1, lines 63 *et. seq.*

In that the service region 54 disposed between the storage regions 56, 58 is described as being at "approximately the center of the longitudinal length of the tape," it is respectfully submitted that the Examiner's position that the storage region 56 is "shorter longitudinally" than the storage region 58 is unsupported by the Examiner's citations to the Schwarz reference.

The deficiencies of the Examiner's citations to the Schwarz reference are not met by the Examiner's citations to the Smith reference. The Examiner has cited the Smith reference as showing a data storage medium in which "data that is accessed most frequently is placed in the outer data section and the rest of the data is placed in the inner data section." The Examiner has cited no portion of the Smith reference as showing a method for storing data in a storage medium, comprising, *inter alia*, "providing a layout of a magnetic tape storage medium including a first and second user data sections, wherein the first user data section has a shorter longitudinal length than the second user data section so that the first user data section comprises a faster access storage space than the second user data section ..." as required by independent claim 1. Independent claims 15, 21, 47 and 61 may be distinguished in a similar fashion.

Claims 2, 3, 5, 7-14 depend either directly or indirectly from claim 1; claims 16, 18, 19 depend either directly or indirectly from claim 15; claims 24-26 depend either directly or indirectly from claim 21; claims 48, 49, 51, 53-60 depend either directly or indirectly from claim 47 and claims 62, 65 depend either directly or indirectly from claim 61. Accordingly, the rejection of these claims is improper for the reasons given above. Moreover, these dependent claims include additional limitations, which in combination with the base and intervening claims from which they depend provide still further grounds of patentability over the cited art.

The applicants gratefully acknowledge the Examiner's indication that claims 12, 20, 58 and 66 would be allowable if rewritten in independent form. Claims 12 and 58 are believed allowable for the reasons set forth above. Claims 20 and 66 have been rewritten in independent form. It is therefore respectfully submitted that the objection to these claims should be withdrawn.

The Examiner has made various comments concerning the anticipation or obviousness of

certain features of the present inventions. Applicants respectfully disagree. Applicants have addressed those comments directly herein above or the Examiner's comments are deemed moot in view of the above response.

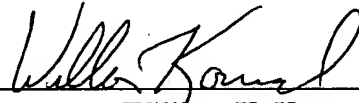
Conclusion

For all the above reasons, Applicants submit that the pending claims 1-3, 5, 7-21, 24-51, 53-62, 65-66 are patentable over the art of record. The appropriate fees have been enclosed for the additional independent claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 50-5085.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: June 25, 2004

By: _____



William K. Konrad
Registration No. 28,868

Please direct all correspondences to:

David Victor
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: 310-553-7977
Fax: 310-556-7984